

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

TREY GREENE, individually and on behalf  
of all others similarly situated,

Plaintiff

v.

ZAC PRINCE, FLORI MARQUEZ, TONY  
LAURA, JENNIFER HILL, and GEMINI  
TRADING, LLC,

Defendants.

Case No. 2:23-cv-01165

**MOTION OF ANTONIE ELAS FOR APPOINTMENT AS LEAD PLAINTIFF AND  
APPROVAL OF SELECTION OF LEAD COUNSEL**

**PLEASE TAKE NOTICE** that on a date and time that may be set by the Court, before the Honorable Kevin McNulty, at the United States District Court for the District of New Jersey, located at Courtroom PO 04, Martin Luther King Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07102, Antonie Elas will respectfully move before this Court for entry of an Order, pursuant to the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3)(B), and the Securities Act of 1933, 15 U.S.C. § 77z-1(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”): (1) appointing Antonie Elas as Lead Plaintiff; (2) approving of his selection of Lockridge Grindal Nauen P.L.L.P. and Gustafson Gluek PLLC as Lead Counsel for the class; and (3) providing any further relief that the Court may deem just and proper.<sup>1</sup>

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<sup>1</sup> A similar securities class action was filed in the U.S. District Court for the District of Massachusetts, also naming as defendants Prince and Marquez, as well as others. *See Elas v. Prince, et al.*, No. 1:12-cv-10472 (D. Mass). The lead plaintiff deadline in *Elas* is also May 1, 2023. Shortly after the *Greene* and *Elas* actions were filed, BlockFi and its affiliates in bankruptcy (the “Debtors”) filed an adversary action seeking to stay the securities lawsuits. *See BlockFi Inc. v. Greene, et al.*, Adv. Pro. No. 23-1071-MBK (D.N.J. Bankr.). On March 23, 2023, the Bankruptcy Court entered a temporary restraining order, pursuant to Fed. R. Civ. P. 65 and Fed.

This motion is made on the grounds that Mr. Elas believes he is “the most adequate plaintiff” under the PSLRA and should, therefore, be appointed Lead Plaintiff. Specifically, Mr. Elas believes that he has the largest financial interest in the relief sought by the Class in this action by virtue of, among other things, the significant investment he made and losses he incurred on his class period transactions in his BlockFi Investment Account. Furthermore, Mr. Elas satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure because his claims are typical of other class members’ claims and because he will fairly and adequately represent the interest of the class.

This motion is based upon the accompanying Memorandum of Law, the Declaration of Stephen J. Teti filed herewith, the pleadings and other filings herein, and such other written or oral argument as may be permitted by the Court.

**WHEREFORE**, Antonie Elas respectfully requests that the Court: (1) appoint him as Lead Plaintiff pursuant to the PSLRA; (2) approve of his selection of Lockridge Grindal Nauen P.L.L.P. and Gustafson Gluek PLLC as Lead Counsel for the Class; and (3) grant any additional relief as the Court may deem just and proper.

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R. Bankr. P. 7065, temporarily enjoining further litigation of the *Greene* and *Elas* matters. *See* ECF No. 5. On April 6, 2023, the Bankruptcy Court entered an Agreed Stipulation and Order prohibiting the further prosecution of the *Greene* and *Elas* matters “except for the initial filing of the lead plaintiff/lead counsel motions provided for in the PSLRA . . . .” *See* ECF No. 6 at ¶ 3. Specifically, the Bankruptcy Court ordered that “potential lead plaintiffs [may] file motions for appointment of lead plaintiffs in the” *Greene* and *Elas* matters, but that “[a]ll other actions and proceedings in or regarding [those] Actions (including any responses to motions for appointment of lead plaintiffs, or any motions for consolidation or transfer) remain enjoined and stayed . . . .” *Id.* at ¶ 5. Mr. Elas therefore expressly reserves the right to, but does presently, seek consolidation and/or transfer of the *Greene* action with the present action. Pursuant to the Bankruptcy Court’s Order, Mr. Elas and any other lead plaintiff movants may not file opposition or reply briefs in further support of this motion until the bankruptcy stay is lifted. *See id.*

Dated: May 1, 2023

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